

REMARKS

Applicants appreciate the Examiner's thorough examination of the present application as evidenced by the Office Action of May 16, 2006 (hereinafter "Office Action"). Applicants especially appreciate the decision to re-open prosecution and the indication that Claims 7, 8, 26, 27, 45, and 46 recite patentable subject matter. (Office Action, page 2). Rather than write the allowable claims in independent form at this time, Applicants respectfully submit that the cited reference does not disclose or suggest, at least, the recitations of the pending independent claims. Accordingly, Applicants submit that all pending claims are in condition for allowance. Favorable reconsideration of all pending claims is respectfully requested for at least the reasons discussed hereafter.

Independent Claims 1, 12, 20, 31, 39, and 50 are Patentable

Independent Claims 1, 12, 20, 31, 39, and 50 stand rejected under 35 U.S.C. §102(e) as being anticipated by U. S. Patent Publication No. 2002/0059474 to Camara et al. (hereinafter "Camara").

Claim 1 is directed to a method of instantiating a device driver and includes the following recitation:

dynamically associating a first software component with the device driver at run-time, **the first software component containing information that facilitates communication with devices of a specific device type.**
(Emphasis added).

Claim 12 is directed to a method of collecting data from a device and recites, in part:

...
dynamically associating a software component with a device driver at run-time, **the software component containing information that facilitates communication with the device;**
... (Emphasis added).

Independent Claims 20, 31, 39, and 50 include similar recitations. As indicated above, the pending independent claims describe a software component being associated with a device driver at run-time that contains information that facilitates communication with the device. Thus, the pending independent claims recite both a device driver and a software component

that is associated with the device driver at run time.

The Office Action cites paragraphs 22, 32, and 34 of Camara as disclosing the recitations of the independent claims. (Office Action, page 3). These paragraphs, however, describe a scripting driver 66 or 120 that is used to communicate with and control a hardware device, such as a scanner. Camara explains that the "[t]he scripting driver 66, the script engine 68, and the driver script 70 for a given device together serve the function of a regular device driver (e.g., the device driver 98 in FIG. 3)." (Camara, paragraph 20). It appears that the combination of the scripting driver 66, script engine 68, and driver script 70 are alleged to correspond to the device driver element recited in the independent claims. Applicants submit that Camara does not disclose or suggest the software component that is associated with the device driver at run time and facilitates communication with the device as recited in the pending independent claims. If the present rejection is maintained, Applicants respectfully request that the subsequent Office Action identify with greater specificity which component(s) of Camara are alleged to correspond to the device driver element recitation and which component(s) of Camara are alleged to correspond to the software component element recitation.

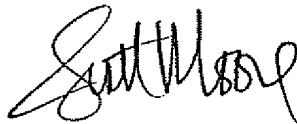
Accordingly, for at least the foregoing reasons, Applicants respectfully submit that independent Claims 1, 12, 20, 31, 39, and 50 are patentable over Camara and that Claims 2 - 11, 13 - 15, 21 - 30, 32 - 34, 40 - 49, and 51 - 53 at least per the patentability of independent Claims 1, 12, 20, 31, 39, and 50.

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CONCLUSION

In light of the above discussion, Applicants submit that the present application is in condition for allowance, which action is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,

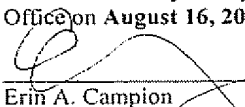


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I hereby certify that this correspondence is being transmitted electronically to the U.S. Patent and Trademark Office on August 16, 2006 using the EFS.


Erin A. Campion

Date of Signature: August 16, 2006